

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
AIR AND RADIATION DIVISION
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

ATTORNEY/CLIENT PRIVILEGE

DATE:

7/1/04

SUBJECT: Recommendation to Issue a Notice and Finding of Violation to Morgan Electro Ceramics, Bedford, Ohio

FROM: George Czerniak, Chief
Air Enforcement and Compliance Assurance Branch

TO: Stephen Rothblatt, Director
Air and Radiation Division

I recommend that you issue a Finding of Violation (FOV) to Morgan Electro Ceramics (Morgan) for violating the Ohio Title V permitting program.

Specifically, in 1995, Morgan had three degreasers at its facility that were subject to the National Emission Standards for Halogenated Solvent Cleaning, codified at 40 C.F.R. Part 63, Subpart T. The three degreasers had the potential to emit more than ten tons of tetrachloroethylene per year. A source with that potential to emit is a major source under Section 112 of the Clean Air Act and is required to apply for and obtain a Title V permit from the permitting authority, the Ohio Environmental Protection Agency (Ohio EPA). Although Morgan initially applied for such a permit, it withdrew its application.

Morgan later installed two degreasers to replace two of its existing degreasers. Each time it installed a degreaser it was required to apply for a Title V permit within certain time frames and each time it failed to apply for a Title V permit.

These violations were referred to U.S.EPA by the Ohio EPA. U.S.EPA already had an existing case underway and it made sense to fold the Title V violations into U.S.EPA's case.

State Representative Contacted: Joe Kencelick, Ohio EPA

Date:

7/1/04

By:

W. MacDonell